

Form PTO-1390 U.S. Department of Commerce Patent and Trademark Office
(Rev. 12-2001) F&B (3/02)

Attorney's Docket Number
89946/JLT (58575 - 31,373)

**TRANSMITTAL LETTER TO THE UNITED
STATES DESIGNED/ELECTED OFFICE
(DO/US) CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. Application No. (If known, see 37 CFR 1.5)
EXPRESS MAIL NO. EL210859942US
June 3, 2005

INTERNATIONAL APPLICATION NO.
PCT/EP2003/013727

INTERNATIONAL FILING DATE
December 4, 2003

PRIORITY DATE CLAIMED
December 6, 2002

TITLE OF INVENTION

PROCESS FOR THE PRODUCTION OF MESO-SUBSTITUTED CYANINE DYES

APPLICANT(S) FOR DO/EO/US
TIMPE, Hans-Joachim; KOTTMAIR, Eduard

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet Under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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|---|--|--|--|--|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/537389 | | INTERNATIONAL APPLICATION NO. PCT/EP2003/013727 | | ATTORNEY'S DOCKET NUMBER 89946/JLT (58575-316373) | |
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|--|--|--|--|----------------------|------------------------|
| 21. The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00 <input checked="" type="checkbox"/> b) Examination fee \$200.00 <input checked="" type="checkbox"/> c) Search fee \$500.00 TOTAL OF ABOVE CALCULATIONS = \$1000.00 | | | | Applicant Use | Office use only |
| | | | | 300 | |
| | | | | 200 | |
| | | | | 500 | |
| | | | | 1000 | |

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|--|--------------|---|------------|---|--|
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250.00 | 0 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | 0 | |

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|---|---------------------|---------------------|-------------|---|--|
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 14- 20 = | 0 | x \$50.00 | 0 | |
| Independent claims | 1- 3 = | 0 | x \$200.00 | 0 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | 0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | 0 | |

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|--|--|--|--|------|--|
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2 | | | | | |
| SUBTOTAL = | | | | 0 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | 0 | |
| TOTAL NATIONAL FEE = | | | | 1000 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | 0 | |
| TOTAL FEES ENCLOSED = | | | | 1000 | |

| | | |
|--|------------------------|----|
| | Amount to be refunded: | \$ |
| | Amount to be charged: | \$ |


a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0029. A duplicate copy of this sheet is enclosed.

d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SEND ALL CORRESPONDENCE TO: Customer Number 01333



 SIGNATURE
 Paul W. Busse
 NAME
 32,403
 REGISTRATION NUMBER